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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/472,630	12/27/1999	DARREN NEUMAN	A4-4291	9014

24319 7590 07/29/2004
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EXAMINER

ONUAKU, CHRISTOPHER O

ART UNIT PAPER NUMBER

2616

DATE MAILED: 07/29/2004

9

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/472,630

Applicant(s)

NEUMAN ET AL.

Examiner

Christopher O. Onuaku

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8, 16 and 18-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 16 & 18-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Please include the new Art Unit 2616 in the caption or heading of any written or facsimile communication submitted after this Office Action because the Examiner, who was assigned to Art Unit 2615, will be assigned to new Art Unit 2616. Your cooperation in this matter will assist in the timely processing of the submission and is appreciated by the Office.

Response to Arguments

2. Applicant's arguments with respect to claims 1-8,16&18-28 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1,3,4,8&21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Camras (US 4,097,893).

Regarding claim 1, Camras discloses a portable video recording system, including a camera station and a recording station which are physically separated from one another and connected over wireless links, the system comprising the method for:

a) communicating the image from an image capture device to the media device via a wireless connection (see Fig.1, the Abstract; camera station which includes camera 267 which is wirelessly connected to a remote recording station which includes tape recorder 270 and a recorder-responsive unit 280; col.3, lines 9-57);

b) storing the communicated image in memory on the removable media device (see Fig.1; tape recorder 270; col.6, lines 4-45);

c) thereafter reformatting the stored image (see see col.6, lines 4-27

d) recording the reformatted image on removable media (see tape recorder 270 of Fig.1 or video tape recorder 627 of Fig.3; and at least col.6, lines 4-45);

e) wherein the recorded image on the removable media is capable of being accessed on removable media device (see col.6, lines 46-64).

Camras discloses a video tape recorder 627 of Fig.3 and tape recorder 270 of Fig.1. Video tape recorders are well known for using a video cassette tape which is a removable recording medium. However Camras fails to explicitly disclose wherein the video tape recorder 627, for example, includes a video cassette tape. It would have been obvious to modify Camras by adding a video cassette tape to the video tape recorder of Camras, since the video cassette tape is a removable recording medium, in order to facilitate the removal of the cassette tape, as required.

Regarding claim 3, Camras discloses the method step comprises wherein the wireless connection includes at least one of an infrared link of radio frequency link (see RF link; col.8, lines 45-48).

Regarding claim 4, Camras discloses the method step comprises wherein the deciphering includes decoding the stored image from a first format into a photoframe and encoding the decoded image into a second format (see col.3, lines 9-38; col.5, lines 33-45; and col.6, lines 4-28); here examiner reads encoding as modulating and decoding as demodulating.

Regarding claim 8, Camras discloses the method step comprising wherein the recorded image includes at least one of text, music and voice clips (see Fig.1 and microphone 265 that picks sound; col.3, lines 9-38).

Regarding claim 21, the claimed limitations of claim 21 are accommodated in the discussions of claim 1 above, including an image capture device for capturing the image (see Fig.1, portable camera 260; col.3, lines 9-38).

5. Claims 5,16,18,20,23-26&28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Camras in view of Roberts et al (US 6,496,222).

Regarding claim 16, the claimed limitations of claim 16 are accommodated in the discussions of claim 1 above. Camras fails to explicitly disclose querying the image

storage device for a supported format, and if the supported format differs from an image format, deciphering the image to the supported format and communicating the image from the image capture device to the image storage device.

Roberts et al teach an electronic still video camera including an improved electronic still camera which converts a still picture of an object or scene into an operator selectable compressed digital signal format for storage utilizing a compression/decompression algorithm, such as JPEG algorithm standard for example, formatted into PC compatible format retaining the images' color information, and stored on a PC compatible memory diskette, wherein image storage device is checked for proper format, and reformatted if desired before image storage (see col.6, line 24-56; col.8, lines 30-65; and col.11, line 56 to col.12, line 12).

It would have been obvious to modify Camras by realizing Camras with the means to check an image storage for proper format and reformatting the image storage to the proper format before storing the desired image in a given format, as taught by Roberts, in order, for example, to store an image in a properly matching formatted storage device.

Regarding claim 18, the claimed limitations of claim 18 are accommodated in the discussions of claim 3 above.

Regarding claim 20, the claimed limitations of claim 20 are accommodated in the discussions of claim 4 above.

Regarding claim 23, the claimed limitations of claim 23 are accommodated in the discussions of claim 3 above.

Regarding claim 24, the claimed limitations of claim 24 are accommodated in the discussions of claim 4 above.

Regarding claim 25, the claimed limitations of claim 25 are accommodated in the discussions of claim 16 above.

Regarding claim 26, the claimed limitations of claim 26 are accommodated in the discussions of claim 3 above.

Regarding claim 28, the claimed limitations of claim 28 are accommodated in the discussions of claim 4 above.

Regarding claim 5, Roberts further teaches the method step comprises wherein the first format includes at least one of Graphic Interchange Format (GIF), Hypertext Markup Language (HTML), bitmap, and Joint Photographic Experts Group (JPEG) and the second format includes Motion Pictures Experts Group (MPEG) bitstream (see col.10, lines 6-29).

6. Claims 2,7&22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Camras in view of Squilla et al (US 6,396,537).

Regarding claim 2, Camras fails to explicitly disclose the method wherein the removable media device includes at least one of a digital versatile disk (DVD), digital video disk-erasable (DVD-e), VCD, and compact disc. Squilla et al teach a photographic system including a camera that is capable of interactive data communication with sources of digital data associated with one or more scenes comprising the image server 70, wherein the microprocessor 76 drives a writer 91 to provide customized media 92 including compact disks (CDS) and digital video disks (DVD) (see Fig.2, col.5, line 64 to col.6, line 19).

It would have been obvious to modify Camras by realizing Camras with a DVD or CD as storage means , as taught by Squilla, in order to store camera image on the large storage space of a CD or DVD.

Regarding claim 7, Squilla further teaches wherein the deciphered image is played back as at least one of a photo album and slide show (see col.5, line 64 to col.6, line 19).

Regarding claim 22, the claimed limitations of claim 22 are accommodated in the discussions of claim 2 above.

7. Claims 6,19&27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Camras in view of Roberts and further in view of Squilla et al .

Regarding claim 19, the claimed limitations of claim 19 are accommodated in the discussions of claim 2 above, except the claimed one of digital camera or digital camcorder (see col.4, lines 3-25).

Regarding claim 27, the claimed limitations of claim 27 are accommodated in the discussions of claim 19 above.

Regarding claim 6, Squilla further teaches wherein the deciphered image is recorded on a digital versatile disk (DVD) device (see col.5, line 64 to col.6, line 19).

Conclusion

8. Any inquiry concerning this communication or earlier communications from this examiner should be directed to Christopher Onuaku whose telephone number is (703) 308-7555. The examiner can normally be reached on Tuesday to Thursday from 7:30 am to 5:00 pm. The examiner can also be reached on alternate Monday.

If attempts to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Andrew B. Christensen, can be reached on (703) 308-9644.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

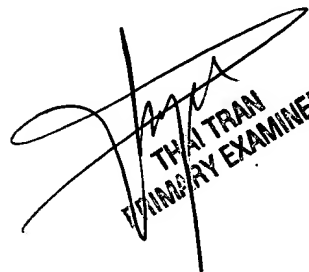
(703) 872-9314, (for formal communications intended for entry)
and (for informal or draft communications, please label "PROPOSED" or
"DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should
be directed to Customer Service whose telephone number is (703) 306-0377.


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TRINITY EXAMINER